

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**REAL PROPERTY *Located at*
1341 North Fremont Avenue,
Springfield, Missouri,
BYRDE ENTERPRISES, LLC,
RAY L. MARPLE, and
THE VERNON L. NICHOLS TRUST,**

Defendants.

Case No. 6:23-cv-03145-MDH

ORDER

Before the Court is former claimant Byrde Enterprises, LLC's Motion to Substitute Cash. On May 15, 2023 the United States filed a Complaint for Forfeiture *In Rem* against the defendant property. The United States alleged that Ray Marple, acting as trustee for the Vernon L. Nicholas trust, used, without authorization, funds from the trust to purchase the defendant property.

Byrd Enterprises LLC entered a verified claim for the Defendant property on June 20, 2023, but later sought, and received, withdrawal of that claim with prejudice. Byrd has not sought this Court's reconsideration of its granting Byrde's own Motion to Withdraw its claim with prejudice. Nor has Byrde otherwise sought to reinstate its former claim to defendant property. Byrd now moves this Court to substitute the Defendant property for cash. Because Byrde is no longer a claimant, Byrde lacks standing to assert its present Motion. To the extent Byrde seeks to reinstate its claim, Byrde must move for such relief from this Court. Byrde's Motion is therefore **DENIED**.

IT IS SO ORDERED.

DATED: July 23, 2023

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE